

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FRANCIS SHARIDE DINKINS, JR.,	:	
Petitioner,	:	
	:	
v.	:	CIVIL ACTION NO. 21-CV-2916
	:	
SUPERINTENDENT MASON, <i>et al.</i>,	:	
Respondents.	:	

ORDER

AND NOW, this **9th** day of **December 2022**, in consideration of Petitioner Francis Sharide Dinkins, Jr.'s Motion for Relief from Judgment Under Fed. R. Civ. P. 60(b) (ECF No. 31), it is **ORDERED** that:

1. The Clerk of Court is **DIRECTED** to reopen this case.
2. The Motion is **DISMISSED** for lack of subject matter jurisdiction without prejudice to Dinkins's right to file with the United States Court of Appeals for the Third Circuit an application to file a second or successive habeas petition. *See* 28 U.S.C. § 2244(b)(3)(A).
3. A Certificate of Appealability is **DENIED** pursuant to 28 U.S.C. § 2253(c) because reasonable jurists would not debate the propriety of this Court's procedural ruling with respect to these claims. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000).
4. The Clerk of Court is **DIRECTED** to close this case.

BY THE COURT:

/s/ **Chad F. Kenney**

CHAD F. KENNEY, J.